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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tetsunori KODA et al.

Group Art Unit: 1773

Application No.: 10/665,016

Examiner: Holly C. Rickman

Filed: September 22, 2003

Docket No.: 117223

For: MAGNETIC RECORDING MEDIUM AND MAGNETIC RECORDING APPARATUS

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 22, 2004 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks. Claims 1-12 are pending in this application.

The Office Action rejects claims 1-12 under 35 U.S.C. §103(a) over Hikosaka et al. (U.S. Publication No. 2004/0001975). The rejection is respectfully traversed.

The U.S. filing date of Hikosaka is June 5, 2003, which is later than the priority dates of both priority documents of the above-identified application. Specifically, the present application claims priority under 35 U.S.C. §119 of Japanese Patent Application No. JP 2002-294716, filed October 8, 2002, and Japanese Patent Application No. JP 2002-379436, filed December 27, 2002. Accordingly, the U.S. filing date of Hikosaka is later than the priority dates of the present application. In order to perfect the claim for priority of the present application, and in accordance with 37 C.F.R. §1.55, verified English translations of both

priority documents are hereby attached. Thus, Hikosaka is not prior art to the present application.

Because Hikosaka is not prior art, claims 1-12 are patentable over Hikosaka, and withdrawal of the rejection of the claims under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Tarik M. Nabi
Registration No. 55,478

JAO:TMN/tje

Attachments: Translation of JP 2002-379436
Translation of JP 2002-294716

Date: September 22, 2004

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